

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: James A. Proctor, Jr.
Application No.: 10/634,148
Filed: August 4, 2003
Confirmation No.: 5101

Group: 2661
Examiner: Not assigned

For: FORWARD ERROR CORRECTION SCHEME FOR HIGH RATE DATA
EXCHANGE IN A WIRELESS SYSTEM

CERTIFICATE OF MAILING OR TRANSMISSION	
I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as First Class Mail in an envelope addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, or is being facsimile transmitted to the United States Patent and Trademark Office on:	
<u>1/2/04</u>	<u>Margaret A. Norcutt</u>
Date	Signature
<u>Margaret A. Norcutt</u>	
Typed or printed name of person signing certificate	

REPLY TO NOTICE TO FILE MISSING PARTS OF APPLICATION

Mail Stop Missing Parts
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In reply to the Notice to File Missing Parts dated November 3, 2003, the following documents and fees are being submitted for filing in the captioned application. A copy of the Notice is attached.

- ☐ EXECUTED DECLARATION FOR PATENT APPLICATION
- ☐ POWER OF ATTORNEY DOCUMENT
 - ☐ GRANTED BY INVENTOR(S)
 - ☐ GRANTED BY ASSIGNEE, including Statement under 37 C.F.R. 3.73(b)
- ☐ PRELIMINARY AMENDMENT
- ☒ FILING FEE - with Fee Transmittal for Patent Applications in duplicate
Fee calculations based on:
 - ☒ Claims as originally filed
 - ☐ Claims upon entry of the Preliminary Amendment filed [herewith] [with the application]
- ☒ SURCHARGE - surcharge fee of \$130.00

☐ **SEQUENCE LISTING** - Filed concurrently and is attached

☐ **REPLACEMENT DRAWINGS**

☐ Sheets of replacement drawings consisting of Figs. 1 - ☐ are enclosed

☐ **PETITION FOR EXTENSION OF TIME**

☐ Applicant hereby petitions to extend the time to respond to the Notice to File Missing Parts dated ☐ for ☐ month(s) from ☐ to ☐
The appropriate fee of \$☐ is included in the enclosed check

☐ A ☐ month extension of time to respond to the Notice to File Missing Parts dated ☐ was filed on ☐ with payment of a \$☐ fee

☐ Applicant hereby petitions for an additional ☐ month extension of time to respond to the Notice to File Missing Parts. The appropriate fee of \$☐ is included in the enclosed check

☐ **REQUEST FOR CORRECTED FILING RECEIPT** - Filed concurrently and is attached

☐ **STATEMENT CLAIMING SMALL ENTITY STATUS**

☐ Was filed on ☐

☐ Is enclosed herewith

☐ In view of the small entity status of the captioned application, we hereby request a reimbursement of 50% of the filing fees in the amount of \$☐ which were paid on ☐ to be deposited in Deposit Account No. 08-0380

The fees required for filing the indicated documents are enclosed in the form of a check in the total amount of \$1432.00. Please charge any deficiency or credit any overpayment in the fees that may be due in this matter to Deposit Account No. 08-0380. A copy of this letter is enclosed for accounting purposes.

Respectfully submitted,

HAMILTON, BROOK, SMITH & REYNOLDS, P.C.

By 

David J. Thibodeau, Jr.

Registration No.: 31,671

Tel.: (978) 341-0036

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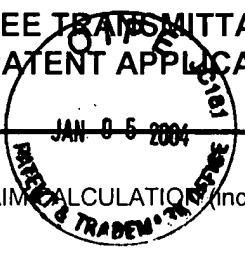
Concord, Massachusetts 01742-9133

Date:

1/2/04

HAMILTON, BROOK, SMITH & REYNOLDS, P.C.

FEE TRANSMITTAL FOR PATENT APPLICATIONS		Attorney Docket Number		2479.1030-005	
		Application Number		10/634,148	
		First Named Inventor		James A. Proctor	

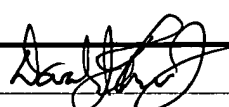


CLAIM CALCULATION (includes any preliminary amendment)

CLAIMS	(1) FOR	(2) NUMBER FILED	(3) NUMBER EXTRA	(4) RATE	(5) CALCULATIONS
	TOTAL CLAIMS (37 CFR 1.16(c) or (j))	40 - 20* =	20	x \$ 18 =	\$ 360
	INDEPENDENT CLAIMS (37 CFR 1.16(b) or (i))	5 - 3** =	2	x \$ 86 =	\$ 172
	MULTIPLE DEPENDENT CLAIMS (if applicable) (37 CFR 1.16(d))			+ \$ 290 =	\$
				BASIC FEE (37 CFR 1.16(a) or (h))	\$ 770
				Total of above Calculations =	\$ 1302
				Reduction by 50% for filing by small entity (37 CFR 1.9, 1.27, 1.28) =	\$
				TOTAL =	\$ 1302
				Surcharge - Late Filing of Declaration or Filing Fees (37 C.F.R. 1.16(e)) =	\$ 130
				Petition for Extension of Time Fee (37 C.F.R. 1.17) =	\$
				Assignment Recordation Fee = (only when filed with application)	\$
				[Other]	\$
				TOTAL =	\$ 1432

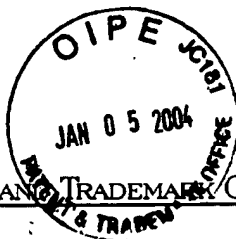
* Reissue claims in excess of 20 and over original patent
 ** Reissue independent claims over original patent

1. Small entity status:
 - a. ☐ A small entity statement is enclosed.
 - b. ☐ A small entity statement was filed in the prior non-provisional application and such status is still proper and desired.
 - c. ☐ Is no longer claimed.
2. ☒ A general authorization is hereby granted to charge deposit account number 08-0380 for any fees required under 37 CFR 1.16 and 1.17 in order to maintain pendency of this application. A copy of this authorization is enclosed for accounting purposes.
3. ☒ A check is enclosed for \$1432. ☐ Please charge \$[] to Deposit Account No. 08-0380.
4. ☐ Other: _____

Signature		Date	1/2/04
Submitted by Typed or Printed Name	David J. Thibodeau, Jr.	Reg. Number	31,671



UNITED STATES PATENT AND TRADEMARK OFFICE



UNITED STATES DEPARTMENT OF COMMERCE
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APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/634,148	08/04/2003	James A. Proctor JR.	2479.1030-005

021005
HAMILTON, BROOK, SMITH & REYNOLDS, P.C.
530 VIRGINIA ROAD
P.O. BOX 9133
CONCORD, MA 01742-9133

CONFIRMATION NO. 5101

FORMALITIES LETTER



OC000000011152240

Date Mailed: 11/03/2003

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

Items Required To Avoid Abandonment:

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.
Applicant must submit \$ 770 to complete the basic filing fee for a non-small entity. If appropriate, applicant may make a written assertion of entitlement to small entity status and pay the small entity filing fee (37 CFR 1.27).
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

The applicant needs to satisfy supplemental fees problems indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- Additional claim fees of \$532 as a non-small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due.

SUMMARY OF FEES DUE:

Total additional fee(s) required for this application is \$1432 for a Large Entity

- \$770 Statutory basic filing fee.
- \$130 Late oath or declaration Surcharge.
- Total additional claim fee(s) for this application is \$532

01/08/2004 SSITHIB1 00000144 10634148
01 FC:1001
02 FC:1201
03 FC:1202
04 FC:1051

770.00 OP
172.00 OP
360.00 OP
130.00 OP

- \$172 for 2 independent claims over 3.
- \$360 for 20 total claims over 20.

Replies should be mailed to: Mail Stop Missing Parts
Commissioner for Patents
P.O. Box 1450
Alexandria VA 22313-1450

A copy of this notice MUST be returned with the reply.

_____

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE